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U.S. DISTRICT COURT

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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UNITED STATES OF AMERICA,

*Plaintiff,*

v.

UNITED PARK CITY MINES COMPANY,

*Defendant.*

**ORDER ON DEFENDANT'S  
MOTION FOR PARTIAL  
SUMMARY JUDGMENT (ECF  
NO. 179) AND PLAINTIFF'S  
MOTION FOR PARTIAL  
SUMMARY JUDGMENT (ECF  
NO. 215)**

Case No. 2:19-cv-00200-BSJ

District Judge Bruce S. Jenkins

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This matter is before the Court on Defendant United Park City Mines Company's ("UPCM") Motion for Partial Summary Judgment (ECF No. 179), Plaintiff United

States' Motion for Partial Summary Judgment (ECF No. 215), the Parties' oppositions thereto (ECF Nos. 238 and 227, respectively), and the Parties' replies (ECF Nos. 247 and 246, respectively). A hearing on these motions was held before the Court on April 8, 2021. Alexandra Sherertz, Vanessa Moore, and Mark Elmer appeared on behalf of Plaintiff. Chris Hogle and Jeffrey Wood appeared on behalf of Defendant.

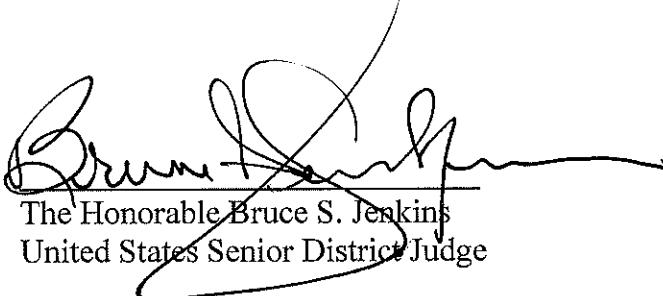
Having considered the motions, the oppositions, the replies, and the oral arguments of counsel as to ECF Nos. 179 and 215, it is hereby ORDERED as follows:

1. UPCM's Motion for Partial Summary Judgment (ECF No. 179) is DENIED.
2. The United States' Motion for Partial Summary Judgment (ECF No. 215) is GRANTED IN PART and DENIED IN PART. The United States' Motion is GRANTED IN PART that UPCM is liable for a \$50,000 stipulated penalty as a result of EPA's work takeover. The United States' Motion is otherwise DENIED.

IT IS SO ORDERED.

19-cv-200

DATED this 16<sup>th</sup> day of April, 2021.

  
The Honorable Bruce S. Jenkins  
United States Senior District Judge